

USSN: 10/569,311  
Attorney Docket: 2003.009 US  
Response to Office Action of December 31, 2008

## REMARKS

In the Office Action of December 31, 2008, the Examiner rejected claim 12 under 35 U.S.C. 112, first paragraph, for lack of enablement. The Examiner has objected that the specification asserts protection but provides no experimental data indicating cross-species and cross-serotype protection.

Applicants respectfully submit that with the present amendment to claim 12 this rejection is overcome. The claims are now limited to inducing a protective immune response against *Salmonella enterica*. It is believed that this amendment is supported by the challenge study in Example 2, pages 11 and 12, in the specification.

Claim 12 stands further rejected under 35 U.S.C. 112, second paragraph, for being indefinite. The Examiner objected to the recitation “a live attenuated *Salmonella* bacterium,” for being indefinite as *Salmonella* is a genus and not a bacterium. It is respectfully submitted that with the present amendment this rejection is overcome.

In view of the above it is believed that claim 12 is in condition for allowance. Favorable action is solicited. Should the Examiner believe that a conference would be helpful in advancing the prosecution of this application, she is invited to telephone Applicant’s attorney below.

Pursuant to 37 C.F.R. § 1.116, Applicants submit that the amendments presented herein are made to i) cancel claims or comply with any requirement of form expressly set forth in a previous Office action, or ii) present rejected claims in better form for consideration on appeal.

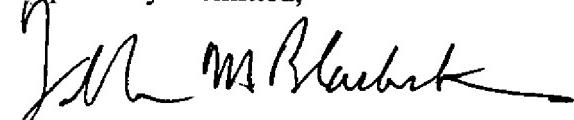
Applicants submit that this application is in condition for allowance, and request that it be allowed. Should the Examiner believe that a conference would be helpful in advancing the prosecution of this application, Examiner is invited to telephone Applicant’s attorney at the number below.

Applicants do not believe that any other fee is due in connection with this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. 02-2334. In addition, if there is ever any other fee deficiency

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or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. 02-2334.

Respectfully submitted,



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